

## PLAN AND ZONING COMMISSION MEETING

Direction: PZ\_AF\_11-19-2018

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, November 19, 2018, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Present  
Andersen.....Absent

### **Item 1 - Consent Agenda**

#### **Item 1a - Minutes of the meeting of November 5, 2018**

Chairperson Erickson asked for any comments or modifications to the November 5, 2018 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approved the November 5, 2018 meeting minutes.

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent

Motion carried.

### **Item 2 – Public Hearings**

#### **2a – Ashworth Rd I-80 Corridor, Generally located along Ashworth Rd beginning west of Interstate 80 east to Jordan Creek Parkway – Amend Comprehensive Plan Land Use Map and Amend Zoning Map to designate and zone property to High Density Residential (RH), Medium Density Residential (RM), Single Family Residential (R-1), Office (OF), Community Commercial (CMC), and Business Park (BP) – City Initiated (CPA-003525-2017/ZC-003524-2017)**

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on **November 9, 2018**.

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Crowley, seconded by Commissioner Drake, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent

Motion carried.

Linda Schemmel, Development Coordinator for Development Services, provided an overview of proposed changes to the comprehensive plan and zoning map. Development Services Staff is requesting approval of a Comprehensive Plan Land Use Map amendment and Zoning Map amendment for properties generally located along Ashworth Rd beginning west of Interstate 80 and extending east to Jordan Creek Parkway. There are a total of 59 parcels (approximately 248.62 acres) affected by this request. The Land Use Map amendment will assign land use designations of Medium Density Residential and Business Park to nine parcels located west of I-80, two of which were not assigned a land use at the time of annexation in 2014. The Land Use Map amendment will also amend the current

## PLAN AND ZONING COMMISSION MEETING

land use designations of 31 parcels located east of I-80 at the intersection of Ashworth and 88<sup>th</sup> St as well as north of Ashworth Rd between approximately 78<sup>th</sup> and 84<sup>th</sup> Street from Office and Support Office to Community Commercial and Office. The properties at the southwest corner of Ashworth Rd and Jordan Creek Parkway will be amended from Medium Density Residential to Office and Single Family Residential. All properties will be zoned consistent with either their current or amended land use designations. She stated Staff did some work on traffic analysis, using current traffic and following the widening of Ashworth Rd which would allow for access management. This analysis showed that there would only be about 5 acres of office which could be supported at the southwest corner of Ashworth Road and Jordan Creek Parkway. For the area in general, Staff found there's a lot of PCP or office design aged property in the area which wasn't being consumed. Development pressure to change these areas of office into other zoning designations is what's driving a lot of these recommended changes.

Chairman Erickson questioned why Staff were recommending the SW corner of Jordan Creek Parkway and Ashworth Rd be designated office at all and not just single family. Ms. Schemmel responded that this is in response to a change proposed by the homeowners there.

Commissioner Costa asked what kind of access would be available to that office space. Ms. Schemmel clarified that 76<sup>th</sup> St will be coming south from Ashworth Rd. There may be room to squeeze in a RI/RO between that intersection and the intersection with Jordan Creek Parkway. She stated that Staff wouldn't typically push office access through residential, the majority of the office traffic would come and go from Ashworth. Commissioner Costa asked if there was no direct access onto Jordan Creek Parkway. Ms. Schemmel affirmed that there would not be direct access from the designated office property.

Development Coordinator Schemmel provided a zoning map, noting there are some areas of conflict between zoning and comp plan, stating that one goal was to clean up the unzoned or conflicted parcels. Chairman Erickson asked whether an area would have the same access issues if it were medium density or office use. Ms. Schemmel responded that medium density would generate more traffic than the single family areas proposed, but that will provide excess capacity that could be used for the office area, somewhat balancing the overall trips. Multi-family can be more interconnected with the single family to the south. Depending on the layout of the proposed single family areas, they may be able to meet dead end length restrictions to serve the areas without taking 76<sup>th</sup> St north. It's too soon to determine that now.

Coordinator Schemmel continued with the proposed zoning, noting Staff is trying to bring comprehensive plan and zoning into alignment; Ms. Schemmel detailed further changes, noting on a map which areas would be changed.

Chairman Erickson questioned the reason for the pocket of office on 88<sup>th</sup> showing up in land use but not in zoning. Ms. Schemmel replied that this area is not zoned right now; it has a comprehensive plan of office. Staff is not intending to change that now. Due to orientation of access point and the traffic generated, it would be very difficult to put anything more intense than office there. Chairman Erickson asked why not zone it now while cleaning it up. Ms. Schemmel noted that Staff had considered changing it medium density to make it compatible with property to the south, but thought it best to wait for a development proposal to determine a change rather than have to change it later from more intense to less.

Commissioner Costa questioned what other concept Staff had looked at for the business park component on north side of 80. Ms. Schemmel responded that we do have a property owner with a current manufacturing use which business park zoning would allow him to continue to operate.

## PLAN AND ZONING COMMISSION MEETING

Chairman Erickson asked if there was incorporated or unincorporated Wauke property adjacent. Ms. Schemmel replied that the adjacent area of Wauke is proposed to be slightly more intense and more commercial in nature. One concern expressed by the sub-committee was that Wauke has no intent to widen Ashworth Rd soon, raising the issue about putting too much of a traffic burden there with more intense land uses within West Des Moines.

Commissioner Costa asked if Ms. Schemmel was prepared to talk about improvements on Ashworth Rd. Ms. Schemmel replied that Ashworth Rd is under the process of being widened. Some phases of the project will be contingent on funding. The next phase will be the area on the west side of the bridge. Then the bridge will be raised as well as widened.

Ms. Schemmel noted there was one written public comment, and asked the commission if they wanted her to address it now. Chairman Erickson affirmed.

Ms. Schemmel pointed out the areas of concern expressed on the office area at the southwest corner of Ashworth Road and Jordan Creek Parkway:

1. Office use – office use zoning and land use is the intent. The designation will be strictly office, no commercial.
2. The entire neighborhood has struggled with construction of Ashworth, causing more traffic down Aspen – this will resolve soon.
3. Staff is not sure what the final form of 76<sup>th</sup> St will be. One concern with residential zoning is that only a certain length of dead end is allowed. Right now, a cul de sac could be stubbed in which would serve about 2/3 of the parcel. If a site layout can be achieved that would serve all the single family area and still comply with the dead-end length restrictions, that would reduce the need to connect 76<sup>th</sup> to Ashworth.
4. She concluded that there was some discussion about different layouts, which Staff would get into that detail later with site plan submittals.

Chairperson Erickson asked if anyone from the audience would like to speak to this item:

Dr. James Ziska, 964 84<sup>th</sup> St, clarified that many neighbors were not aware of the history of the property. In December, the City approved removal of a park easement, which allowed homeowners to install fences. Many residents had not been aware of the park easement, and did not realize that by removing the park easement, it also removed any brush/tree buffer between the residential area and potential neighbors. He asserted that this was an issue between the owners and their developers and realtors. He then voiced concern about having commercial property immediately adjacent to their residential area, and expressed preference for family-friendly office to be placed in a transition area before adding more commercial to the west. He listed noise from restaurants and parking lots with glare as issues.

Rick Stessman, 7450 Ashworth Rd, expressed a desire to change his neighborhood to office. He stated his concern with the access points, stating he believed they needed a RI/RO out of Jordan Creek. He didn't believe the area should be residential due to the high volume of traffic and difficulty of access. Chairman Erickson clarified that Mr. Stessman was including the other owners in his statement, and Mr. Stessman said he was. Chairman Erickson asked if their proposal would help their ability to market, Mr. Stessman believed it would. Chairman Costa asked what their preference would be. Mr. Stessman said he would prefer it to be all office. Chairman Costa clarified that he was referring to all 20 acres. Mr. Stessman said yes, they would prefer a strip front of commercial with condos behind. Commissioner Crowley questioned how many property owners were included in the 20 acres. Mr. Stessman replied that there were 11.

Orrin Probst, 912 84<sup>th</sup> St, stated that he was coming to offer his support of his good neighbors. He

## PLAN AND ZONING COMMISSION MEETING

expressed concern about the loss of buffer from 30 to 10 feet, and noted that many of the neighbors have small children or pets. His concern included maintaining privacy and property values; noting that if restaurants and bars were close, it would impact them.

Shawn Leisinger, 7755 Aspen Dr, informed the commission that his biggest concern after hearing commentary tonight was traffic concerns with the potential access of 76<sup>th</sup> St getting punched through. He noted that traffic was a nightmare all summer long, and if the City opened it up to the office side, he felt traffic would continue to be a problem. He concluded that having a RI/RO seemed more logical.

Michael Bean, 850 84<sup>th</sup> St, stated he would like the map to be more legible, with street names listed. He noted concerns about the swampy area, and whether that would be developable. Chairman Erickson responded to Mr. Bean that City planning Staff would be happy to sit down with him and provide a more detailed map and information specific to his neighborhood.

Hud Smith, 31272 240<sup>th</sup> St/8820 Wendover Rd, stated he would be affected in the unzoned area. As a developer, he noted he had brought several proposals to the City regarding rezoning to medium density, and noted that there had been challenges regarding the access points and planned commercial to the east. They had not been able to reach an agreement with the City.

Chris Glynn, 878 84<sup>th</sup> St, stated he was echoing some concerns about the property to his West, nuisance, and affecting our property values; too much traffic. This plan doesn't seem to alleviate that issue. As it is now, it seems these properties are just being disregarded, sandwiched in between high speed traffic and commercial. He believed the proposal violated a lot of the comprehensive plan policies and didn't seem to take into account the residents on 84<sup>th</sup> St.

Michael Fields, 978 84<sup>th</sup> St, voiced concern about adding commercial to the west, and asked about the timing of Ashworth Rd being developed and how that would accommodate commercial property. He noted that there would need to be infrastructure in place to support that.

Chairman Erickson responded that there are traffic studies done which project usage, and it does take into account the bridge widening. Ms. Schemmel stated that a specific traffic study had been done. Ashworth Rd bridge construction is proposed to start as early as 2020, pending weather and funding, noting that it's being paid for with City funds. Typically, development is obligated to put in streets to support their projects. 88<sup>th</sup> St has a couple different levels of improvement. Ms. Schemmel detailed where 88<sup>th</sup> St at full building could be two lanes in each direction, with a median placement. Aspen Rd is intended to continue through and connect to another road network in Della Vita, with construction being driven by when the area is developed. Similarly, 76<sup>th</sup> St and adjacent road networks will be put in by the developer.

Chairman Erickson asked whether the densities are projected based on improvements being made, or if commercial proposal came tomorrow would it still meet the standard. Ms. Schemmel replied that development is typically phased based on street capacity. Chairman Erickson noted then that if the proposal exceeded the street capacity, it might not be approved. Ms. Schemmel responded that if for example Ashworth Rd were not available for the developer, the developer would have to provide secondary means in and out, and they could develop up to the capacity of that street.

Commissioner Drake asked whether the City looked into whether they could put community commercial on the other side of Ashworth. Ms. Schemmel responded that as Ashworth Rd crosses, the intersection location is limited by the height of the bridge. There is really no access to Ashworth road for that parcel. There won't be full access to 88<sup>th</sup> street until the Aspen intersection. With that restriction, we would essentially be pushing commercial access through the residential. The development that's been proposed in that area is a convenience store and several commercial properties

## PLAN AND ZONING COMMISSION MEETING

right along Wendover Rd and to the south and west was residential development. That commercial traffic generation basically capsizes the adjacent intersection.

Commissioner Drake questioned the difference in the buffer requirement between commercial and office. Ms. Schemmel responded that it's the same from the City perspective: one option is a 30 foot buffer heavily landscaped, the other is a 60 foot buffer, with lighter landscaping. At this time Aspen Valley was rezoned, the buffer requirement was shifted to Aspen Valley as the person proposing the change in land use has the obligation to provide the buffer. Back in December, the owners requested to remove the buffer so they could put in fences; at that time Staff informed that adjacent land use was office and proposed to be commercial. All those owners signed onto that application.

Landon Luchtel, 970 Jordan Creek Parkway, stated he was glad the City was doing something with this. He noted that access was difficult; with Ashworth Rd increasing through there, access should increase. He was happy to see the City doing this; it might help us sell to a developer for office use, as it isn't going anywhere as is.

Bridget Johnson, 881 84<sup>th</sup> St, stated she lives on the east side of 84<sup>th</sup> St and echoed the concerns of her neighbors, noting that the Ashworth widening has been a problem. She preferred not to have commercial property nearby, and had thought office was the proposed development. She voiced concern about removing trees in a waterway, believing that might create a new problem of water in basements. She preferred that the City remove the commercial and allow for more office space. She also thought the zoning should be developer led which would determine the access points.

Dave Sadler, 885 88<sup>th</sup> St, informed the commission that he has lived in his house for 21 years. He noted the growth in traffic as the area developed, and commented that a lot of the traffic is coming from school traffic for Waukee. He has seen most of his neighborhood become rental properties. It's become a very busy street. He was advocating a land use change in this area. As a landscape architect, he affirmed that anything developed on the southern parcels would more than likely be detention ponds and greenspace. The area that floods will most likely be parking. Chairman Erickson questioned the access issues that might affect Mr. Sadler in the future. Mr. Sadler responded that there was a traffic study along Ashworth Rd, as a result of which there will be another street and Aspen comes out at the south area. I don't think the commercial traffic will be going through going through the development where there will be access onto Ashworth and 88<sup>th</sup> St. In the interim, as a homeowner, I still have access. But ultimately with the median, I will not. That won't happen until development occurs.

Hud Smith, 31272 240<sup>th</sup> St/8820 Wendover Rd stated that it would help to see the road design proposals. He asked if there is going to be another road to the west of 88<sup>th</sup> St. Chairman Erickson deferred to Ms. Schemmel. Ms. Schemmel responded that the map includes the street network from the ultimate street's map. Some of these roads overlap actual roads which are developed, and some are slightly offset, due to a change in the constructed street location. That may give the impression that there will be multiple streets in one area. The next intersection will be further west, but installation will be developer driven. We don't know what the internal street network of any commercial development, but the access points would be off Ashworth and Aspen. Chairman Erickson commented that for individual property owners, it becomes their responsibility to connect A with B. It functions as a complete roadway network. The city does not mandate the exact roadway development. Ms. Schemmel affirmed that this is correct.

Rick Stessman, 7450 Ashworth Rd, noted that the proposed changes could result in a lot of the traffic using Ashworth Rd, affecting his neighborhood. He wanted to see 76<sup>th</sup> St completed to improve access.

Paul Filean, 8085 Ashworth St, inserted that according to the Public Notice provided for those on Ashworth, Phase 2 was supposed to be completed by now.

## PLAN AND ZONING COMMISSION MEETING

Orrin Probst, 912 84<sup>th</sup> St asked how residents would be notified in the future of development in their area, such as the bridge on Ashworth. He asked if Staff expected the rest of that area to be developed at this time.

Chairman Erickson responded that development is driven by the private side; the City develops land use maps and zoning. He added that individual property owners do have development rights within their community plan and proposals are reviewed for what is the highest and best use for that land. Part of the process is to make provisions for that, when it comes in and how it comes in, that's really driven by the private side, then it goes through the City approval process. If this property is zoned and a private developer wants to develop it, that would go through a normal site plan process and you would not receive a notice on that. If they were asking for some other action that would appear at a public hearing, then you would be noticed. Sometimes there are courtesy notices that go out, and if a neighborhood has a sensitivity to a project, developers are asked to talk to homeowners. He concluded that right now there are no proposals on the table; all we are doing is addressing general land use. Ms. Schemmel added that as we go through this process, what will initiate any specific proposal for the areas under discussion is the developers. Opportunities for residents to learn about a specific proposal include the Development and Planning Council Subcommittee, as well as P&Z and Council meetings. Staff may also use courtesy notices for a notable project and encourage developers to have neighborhood meetings.

Director Twedt advised residents to monitor new development using the active development map on the City website.

Michael Fields, 978 84<sup>th</sup> St, questioned whether Community Commercial zoning is contingent on Ashworth Rd being funded with the bridge. Ms. Schemmel replied that it is not; the City designates zoning areas that don't have infrastructure in place yet. The comprehensive land use and zoning maps provides a road map for developers on what those appropriate land uses are.

Chairman Erickson added that the capacity of the roadway is reviewed during the site plan process for the land use. Ms. Schemmel continued that Staff look at infrastructure at a couple levels; one is the comprehensive plan level to make sure the land uses are appropriate. Once we get specific information as a site plan develops, and we know square footage and usage, we do another traffic study and analysis of other infrastructure such as sewers, so we don't capsize those infrastructure systems.

Chairman Erickson asked if any Commissioners had anything that had not been addressed. Hearing none, he closed the public hearing and asked for continued discussion or a motion.

Commissioner Hatfield commented that he is very sensitive to those affected at the intersection of Ashworth Rd and Jordan Creek; by the new Mall and growth of the City. Looking at the area, he would think a larger area for office would be better, rather than run the street through single family residential to service office. He would be more inclined to look at what the existing comp plan designated, in this case medium density residential.

Chairman Erickson stated that PCP Office is a less impacting use. Commissioner Hatfield agreed. Commissioner Crowley concurred. Ms. Schemmel interjected that Staff did look at capacity for office development at that corner; the traffic study showed it could only support five acres of office.

Commissioner Drake clarified that the City was adding more office on the other side of Ashworth by taking out the community commercial piece.

Ms. Schemmel agreed, stating the capacity for office at that corner is also affected by access in close

## PLAN AND ZONING COMMISSION MEETING

proximity to the intersection. Commissioner Hatfield stated that maybe medium density is a more appropriate choice. Ms. Schemmel replied that whether the area is medium density or office, traffic capacity is going to be tight.

Commissioner Costa asked if traffic would be a problem if it's all medium density. Ms. Schemmel responded that as the Comp Plan is designated now is now, no.

Commissioner Costa questioned why Staff thinks it make sense to have 5 acres of office. Ms. Schemmel responded that the residents requested office.

Chairman Erickson noted that one action the Commission could take would be to take no action until developer driven.

Commissioner Southworth questioned leaving the unzoned area south of I-80; as it seems the right time to bring this into the comprehensive plan. Streets are being looked at and planned, some are marked through the property; she would like to see it zoned. Ms. Schemmel clarified that the land use is designated as office; it's unzoned.

Commissioner Southworth asked if commercial could move to that site. Ms. Schemmel replied that the proposal received for commercial in that area could not function there due to access limitations. Commercial needs more connectivity.

Commissioner Crowley commented that the one long strip seemed like it's going to have to serve as a water way. Ms. Schemmel replied that she would assume a developer would take advantage of that.

Commissioner Hatfield noted that several times it was stated we don't have developer yet so we don't know what is going to happen. What we're looking at is City Staff's vision of what could happen. Ms. Schemmel replied that this has been a two year process involving City Staff, subcommittees, and infrastructure analysis to come to this point.

Commissioner Hatfield stated that there hasn't been a developer coming forth. Ms. Schemmel responded that a developer may own a parcel, but nothing has been proposed yet for development.

Chairman Erickson clarified that Commissioner Southworth was requesting a zoning designation. Commissioner Southworth affirmed that was her request.

Commissioner Drake questioned why make these changes now instead of waiting for developer proposal. Ms. Schemmel responded that (1) it communicates to potential developers what intended use could be; (2) the City can then anticipate pressure points to get ahead of development.

Chairman Erickson stated that we've talked recently about needing a broader vision, part of the charge came from the Commission so proposals are not continuing to be brought in as one-offs.

Commissioner Drake stated she was just concerned about the comprehensive plan going from office to community commercial. Chairman Erickson responded that part of that reflects a marketing issue. He asked Ms. Schemmel to expand.

Ms. Schemmel informed that the City has quite a lot of office designations in this area that have not been consumed; there is development pressure for other uses. The City tries to balance to have an appropriate amounts of land uses, noting that we've lost a lot of commercial to the south. The proposed commercial is intended to serve the surrounding residential with weekly needs; restaurant, grocery store. This designation would be middle intensity commercial, not large such as the mall.

## PLAN AND ZONING COMMISSION MEETING

Commissioner Crowley asked how big the commercial area is roughly in acres. Director Twedt replied that its 20-25 acres.

Commissioner Drake asked why the community commercial couldn't go on the north side of Ashworth Rd. Ms. Schemmel stated that development as multi-family has already been proposed, rezoned and is under development. Chairman Erickson commented that he thought that made sense with the high density on the other side and adjacency to I-80.

Commissioner Costa commented that 20 acres is a lot for community commercial. Ms. Schemmel responded that it's could be considered a lot for neighborhood community, but for community commercial it isn't. She pointed out that developers are not interested in smaller parcels for commercial, they wanted a larger area to develop.

Commissioner Costa questioned the kind of uses were anticipating. Ms. Schemmel responded that they expect retail, probably grocery stores, smaller box stores, some types of offices – something residents would get on a weekly or monthly basis; not a large mall used annually or servicing the whole state.

Chairman Erickson asked if there was any discussion about keeping a corner 10 acres for community commercial, and wrapping it in high density and then multi-family transition or townhomes. Ms. Schemmel replied that on the north side, as Ashworth goes across, the residential developer decided they wouldn't put in high density in that corner because it's too hard to serve based on topography. The City tries to change land uses at topography or at street intersections.

Commissioner Hatfield stated that his suggestion would be to ask Staff to review it in more detail before we make any decisions about this amendment, he recommended to continue indefinitely, and suggested a work session with Staff. Ms. Schemmel noted that by continuing indefinitely, the City would then re-notice the item when it came before the Commission again.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission recommended City Council continue item 2a indefinitely.

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent  
Motion carried.

### **2b-Willow Creek Villas, Jerry's Homes – West Side of Veterans Parkway Approximately 2,300 Feet North of the Intersection of Veterans Parkway and SE 11<sup>th</sup> St – Amend the Comprehensive Plan Land Use Map and Change the Zoning of Property from Medium Density Residential to Single Family Residential – CPA-004119-2018/ZC-004121-2018**

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on **November 9, 2018.**

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.



## PLAN AND ZONING COMMISSION MEETING

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent  
Motion carried.

Jay Cowan, Jerry's Homes, 3900 Westown Pkwy, West Des Moines, requested the Commission to approve the change in zoning from Residential Medium Density to Residential Single Family (RS-5).

Mel Rosario, 2640 SE 11<sup>th</sup> St, stated he was here two years ago to discuss a rezoning and the use of buffers against the remaining Residential Medium Density property.

Barney Munro, 2480 SE 11<sup>th</sup> St, questioned the buffering as well. He asked if the development would have the same size lots as Browns Woods Estates. He added that there is a lot of wetland, a deep creek and a pond. He would like to know what the buffer would be for the safety of people who wander into his area. Chairman Erickson questioned if Mr. Munro was in favor of decreasing the density. Mr. Munro responded that he just wanted to know the size of lots. Chairman Erickson informed that this action alone won't answer that, but the site plan will.

Chairperson Erickson asked if anyone else from the audience would like to speak to this item; seeing none, closed the public hearing and asked Staff for comment.

Kara Tragesser, Development Services Planner, stated the applicant was asking for a comprehensive plan amendment to go to from Low Density Residential single family and to rezone part of the parcel to Residential Single Family (RS-5). She noted this was not the same zoning as Browns Woods Estates or Browns Woods Hollow that changed zoning within the past year. The south area of the parcel would remain medium density.

Chairman Erickson asked Ms. Tragesser to speak regarding the buffer. Ms. Tragesser stated that going from medium density to single family eliminates the need for the buffer. Chairman Erickson questioned that if this were to go forward, there would be a buffer required at the south, next to Mr. Rosario's parcel. Ms. Tragesser affirmed this.

Commissioner Drake clarified that there is a detention basin proposed in the north. Ms. Tragesser stated there is.

Chairman Erickson informed Mr. Munro that the zoning does not require residents to fence their property, and that nothing the Commission was deciding would impact his issue, they couldn't give any assurances about that.

Moved by Commissioner Crowley, seconded by Commissioner Southworth, the Plan and Zoning Commission approved a resolution recommending City Council adopt a resolution to approve amending the Comprehensive plan.

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent  
Motion carried.

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved a resolution recommending City Council adopt a resolution to approve rezoning the parcel.

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes

## PLAN AND ZONING COMMISSION MEETING

Andersen.....Absent  
Motion carried.

### **2c – Raccoon River West, South of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway – Amend Comprehensive Plan Land Use Map to designate Medium Density Residential (MD) and Open Space (OS) land use and establish Single Family Residential (R-1), Residential Medium Density (RM-12), and Agricultural/Open Space (OS) zoning – Raccoon River Land Company LLC – CPA-004077-2018/ZC-004078-2018**

There is a memo on the Dais requesting that this item be deferred until December 17, 2018.  
Commissioner Hatfield stepped away from the meeting briefly.

Commissioner Costa and Chairman Erickson recused themselves from voting on the item.

Commissioner Crowley made a motion to defer, seconded by Commissioner Southworth.

Vote: Crowley, Drake, Southworth.....Yes  
Costa, Erickson.....Abstained  
Andersen, Hatfield.....Absent  
Motion carried.

### **2d - City Campus Amphitheater, 4200 Mills Civic Parkway (Northeast of City Hall) – Approval of a special permit and related site plan to allow construction of a Community Amphitheater – City of West Des Moines, Parks and Recreation – SP-004025-2018**

Commissioner Hatfield returned to the meeting.

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on **November 9, 2018**.

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Crowley, seconded by Commissioner Drake, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent  
Motion carried.

Sally Orgies, Parks & Recreation Department Director, noted the project is the Amphitheater planned for the City Campus. She stated her team had brought a presentation thinking there would be residents in the audience who would benefit, however seeing no one present, offered to expedite the item by not presenting the PowerPoint. She informed that OPN and Confluence, consultants on the project, were present to answer questions.

Chairman Erickson asked the purpose of the two rooms on either side of the stage: restrooms, green rooms, mechanical.

Joe Wallace, OPN Architects Inc., 100 Court Avenue #100, Des Moines, informed that these were stage

## PLAN AND ZONING COMMISSION MEETING

rooms, requested; they weren't providing a lot in there as far as utilities go. They're being called it stage support space on either side. On the south, the room would include A/V and electrical panels, lockable room there. On the north side, stage support; a quick change area.

Brad Munford, Development Services Planner, stated the approval process for this is a little atypical. The parcel is zoned single family residential, and an amphitheater is typically not allowed in that zoning district, but a provision in the code allows for a special permit for Community buildings such as this. He added that the fact that no one was present to address this speaks to how well the Parks Department has communicated with the public. Chairman Erickson agreed, stating he thought this is an excellent use, a great project. Commissioner Crowley concurred.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission approved a resolution recommending City Council adopt a resolution to approve

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent  
Motion carried.

### CONDITIONS OF APPROVAL

1. Prior to the initiation of any site activities, the applicant providing final Site Plan drawings that are acceptable to the City.

#### **2e – Amendment to Comprehensive Plan and City Code – Amend Comprehensive Plan text document and Title 9 (Zoning), to provide for the implementation of high-density residential buildings within the Professional Commerce Park (PCP) district – City Initiated (CPA-004139-2018 & AO-004122-2018)**

Commissioner Hatfield made a motion to defer the item until December 3, 2018. Commissioner Southworth seconded the motion.

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent  
Motion carried.

#### **2f - Amendment to City Code – Title 9 (Zoning), Chapter 10 (Performance Standards), Amend city code to eliminate garage requirement for single-family detached and multi-family condominium regime developments – City Initiated (AO-004123-2018)**

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on **November 9, 2018**.

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

## PLAN AND ZONING COMMISSION MEETING

Vote: Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes  
Andersen.....Absent  
Motion carried.

Commissioner Southworth left the meeting at this time.

Lynne Twedt, Director of Development Services stated this amendment does away with the requirement that single family and multi-family have to have a garage. This does away with that completely. Chairman Erickson stated that the reality is there is a market factor here. He wouldn't build a \$500,000 house without a garage. If Habitat for Humanity came in with a project in Valley Junction, they could now build, without a garage requirement.

Director Twedt stated it would help developers reduce the cost of a home. Chairman Erickson confirmed that there may be a market for this.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Crowley, seconded by Commissioner Southworth, the Plan and Zoning Commission approved a resolution recommending City Council adopt a resolution to approve the amendment.

Vote: Costa, Crowley, Drake, Erickson, Hatfield.....Yes  
Andersen, Southworth.....Absent  
Motion carried.

### **Item 3 – Old Business**

There were no Old Business items to address.

### **Item 4 – New Business**

There were no New Business items to address.

### **Item 5 – Staff Reports**

- a. Approval of 2019 Meeting Schedule –  
Motion by Commissioner Drake, seconded by Commissioner Hatfield, unanimous voice vote to approve the 2019 Meeting Schedule.
- b. December 17, 2018 –  
Commissioners confirmed that there will be a quorum. There is no meeting scheduled for December 31, 2018.

### **Item 6 - Adjournment**

Chairperson Erickson adjourned the meeting at 7:17 p.m.

---

Craig Erickson, Chairperson

---

Jennifer Canaday, Recording Secretary